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PROCESS FOR CITIZEN INVOLVEMENT

BACKGROUND

A requirement of the Consolidated Plan is a Citizen Participation Plan that sets forth the City's policies and procedures for citizen participation. The purposes of this Citizen Participation Plan are:

- to provide for citizen participation to assure effective citizen involvement, in an advisory role, in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the annual performance reports submitted to HUD; and
- to encourage effective citizen participation, with particular emphasis on participation by persons of low and moderate income; who are residents of slum and blighted areas and who live in the community development target areas; and minority groups, in implementing these federally-funded programs in accordance with the federal regulations at 24 CFR Part 91.

The Citizen Participation Plan also sets out the public's role in the planning, implementation, and assessment of the programs covered by the Plan: the Community Development Block Grant (CDBG) program, the Emergency Shelter Grants (ESG) program, the HOME Investment Partnerships (HOME) program, the Section 108 Loan Guarantee and Economic Development Initiative Grant programs, any substantial amendments thereto, and the performance reports submitted to HUD.

Citizens will have a reasonable opportunity to comment on the original citizen participation plan and any proposed substantial amendments thereto. Additionally, the Citizen Participation Plan will be made available to the public at the City Clerk's Office and, upon request, will be made available in a format accessible to persons with disabilities. A reasonable number of free copies of the Citizen Participation Plan are also available in the Community/Economic Development Department.

GENERAL GUIDELINES FOR CITIZEN PARTICIPATION

All aspects of the citizen participation process shall be conducted in an open manner, with freedom of access for all interested persons. Citizens will be provided with:

- ♦ timely access to local meetings;
- ◆ CDBG, ESG, HOME, and related program information;
- Section 108 Loan Guarantee Program and Economic Development Initiative Grant information;
- copies of the Consolidated Plan and One-Year Action Plan for Federal Funds; and
- Other records relating to the grantee's and sub-recipients' proposed and actual use of federal funds, as required by the federal Housing and Community Development Act.

The Community Development Advisory Committee (CDAC), a fourteen member citizen advisory group, will be actively involved in the formulation of the Plan, and will host public meetings and hearings to obtain citizen input at the initial stages of development of the Plan. The City will also:

- Consult with the following agencies or groups in order to obtain their input: the Housing Authority of the City of Miami Beach, the local Community Housing Development Organization(s) (CHDOs), providers of special needs or other assisted housing, local Community Development Corporations, the CDAC, the Loan Review Committee, social service providers, public health agencies and adjoining local governments concerning the needs of low and moderate income residents;
- Gather input by conducting interviews with various providers and community leaders, from
 persons attending the various public meetings and hearings, and from written comments from
 citizens and interest groups submitted throughout the process; and
- Actively involve citizens in the development of the Consolidated Plan.

EFFORTS TO ENCOURAGE CITIZEN PARTICIPATION IN THE DEVELOPMENT OF THE CONSOLIDATED PLAN

The City of Miami Beach makes every effort to encourage the participation of all citizens in the development and implementation of the Consolidated Plan, the development of the One-Year Action Plan, any amendments to the Plan, and the annual performance reports submitted to HUD.

INFORMATION TO BE PROVIDED

The City of Miami Beach provides public access to program information and will undertake affirmative efforts to make information available to citizens, especially to those of low and moderate income, residents of blighted neighborhoods, and minorities. The City of Miami Beach provides for full and timely disclosure of its program records and information consistent with applicable federal, state, and local laws regarding personal privacy and obligations of confidentiality.

Documents relevant to the CDBG, ESG, and HOME Programs, and Section 108 Loan Guarantee Program will be made available for citizen review upon request at the City of Miami Beach Community/Economic Development Department during normal working hours. Copies of the Citizen Participation Plan, Consolidated Plan, One-Year Action Plan for Federal Funds, and annual performance reports submitted to HUD will be available for citizen review or distribution at the City of Miami Beach Community/Economic Development Department upon request. The materials available will include:

- Consolidated Plan;
- ♦ One-Year Action Plan for Federal Funds;
- Substantial Amendments to the Plan;
- Citizen Participation Plan; and
- Performance Reports Submitted to HUD.

These materials will be available at the City of Miami Beach City Hall in the Community/ Economic Development Department during normal business hours. Persons needing special assistance can contact the City Clerk's Office and the needed assistance will be provided to enable access for persons with disabilities. In order that the Community/Economic Development Department may function most effectively, requests for the information and records described above will be processed, whenever possible, within 48 hours of submission of a written request.

A reasonable copying charge may be assessed for requests by any individual or group requiring more than 5 sheets of paper per week. This applies with the following exception: a reasonable number of copies of the Consolidated Plan, One-Year Action Plan for Federal Funds, Substantial Amendments to the Plan, Citizen Participation Plan, and Performance Reports Submitted to HUD.

As determined necessary by the Administration, certain program records and notices may also be published in a non-English language newspaper of general circulation in the City of Miami Beach. A summary of the Consolidated Plan, and if applicable, a summary of the Section 108 Loan Guarantee Program application, will be published at an appropriate time in a newspaper of general circulation.

The City will take whatever actions are appropriate to encourage participation of all its citizens, including minorities, non-English speaking persons, and persons with disabilities, in all stages of the process. This may include, but not be limited to, publication of materials, notices, and records in a language other than English and the provision of assistance for hearing, sight and mobility impaired persons. The citizens will be advised of:

- the annual CDBG, ESG and HOME grant amounts anticipated;
- the proposed amount of Section 108 Loan Guarantee Program;
- estimated program income;
- the proposed low/moderate income benefits once a Plan or Section 108 Loan Guarantee Program application has been developed; and
- Proposed CDBG/Section 108 activities likely to result in displacement (if any) and the types and levels of assistance the grantee will make available to displaced persons, if any.

Further, citizens will be apprised of any items as specified in the National Affordable Housing Act of 1990, Public Law 101-625, the Housing and Community Development Act of 1974 as amended, and applicable regulations for the above.

PUBLIC ACCESS TO RECORDS

The City will provide citizens, public agencies and other interested parties with reasonable and timely access to information and records concerning the City's Consolidated Plan, and the City's use of assistance under the programs covered by the Plan for the preceding five years.

AVAILABILITY OF TECHNICAL ASSISTANCE

The City of Miami Beach Community/Economic Development Department staff shall provide reasonable technical assistance to citizens so that they may adequately participate in planning, implementing, and assessing:

- The CDBG, ESG, HOME, or Section 108 Loan Guarantee programs;
- ♦ The City's Consolidated Plan;
- Plan amendments; and
- The annual performance reports submitted to HUD.

Reasonable technical assistance shall also be provided to groups of low and moderate income persons and groups of residents of blighted neighborhoods who request assistance in developing proposals for, or statements regarding, any of the programs covered by the Consolidated Plan. Reasonable technical assistance may include:

- The provision of information or written documents and assistance in preparing Requests for Proposals during the development of: the Consolidated Plan, Plan amendments and annual performance reports submitted to HUD; the CDBG Planning Phase; or the preparation of an application under the Section 108 Loan Guarantee Program; as well as
- One-on-one assistance if deemed necessary.

Technical assistance will not include providing funds to the groups seeking technical assistance.

PUBLIC HEARING REQUIREMENTS

At least two public hearings per program year will be provided to obtain citizens' views and to respond to proposals and questions. They will be conducted at different stages of the program year. The first hearing will be to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs. The second public hearing will be held later in the program year to address the development of proposed activities. This hearing will be held after a draft Plan is published but prior to the adoption of the Plan.

These public hearings will be held at times and places which are convenient to potential and actual beneficiaries and which can accommodate persons with disabilities. The conference room on the first floor of City Hall, 1700 Convention Center Drive, Miami Beach may be used for the conduct of these hearings and satisfies these requirements. Additional locations that satisfy these requirements may also be used. Non-English speaking residents will be accommodated by the use of a translator if a significant number are reasonably expected to attend.

Advance notice of all public hearings will be published at least seven days before the hearing in the non-legal section of the newspaper. A newspaper of general circulation, and if deemed necessary, a non-English newspaper, will be used. Sufficient information will be published about the subject of the hearing to permit informed comment.

CONSIDERATION OF PUBLIC COMMENTS

Comments or views received through the citizen participation process from citizens, representatives of organizations, or representatives of units of local government, received either in writing or orally at citizen meetings, will be considered in the preparation of the final One-Year Action Plan, and/or Consolidated Plan. Public comments and views received will be considered, and as appropriate, modifications to the draft One-Year Action Plan will be incorporated into the final document.

MEETINGS

Citizens will be provided with reasonable and timely access to local meetings. Notices of all public meetings will be published before regularly scheduled meetings in the non-legal section of the newspaper. A newspaper of general circulation and, if deemed necessary, a non-English newspaper, will be used. Advance notice of emergency meetings will also be provided in the non-legal section of the newspaper as soon as practicable.

THE CONSOLIDATED PLANNING PROCESS

BACKGROUND

The City of Miami Beach is an entitlement recipient of federal funds from the U.S. Department of Housing and Urban Development (HUD). The Consolidated Plan satisfies the minimum statutory requirements for four programs: Community Development Block Grant Program (CDBG), Emergency Shelter Grants Program (ESG), HOME Investment Partnerships (HOME) Program, and Housing Opportunities for Persons With AIDS (HOPWA). The Plan furthers the statutory goals of these programs through a collaborative process whereby each community that receives formula federal grant funds establishes a unified vision for community development actions.

Consolidating the submission requirements of these federal programs offers local jurisdictions a better chance to shape the various programs into an effective, coordinated neighborhood and community development strategy. It also creates the opportunity for strategic planning and citizen participation to take place in a comprehensive context, and to reduce duplication of efforts at the local level.

The City of Miami Beach's Community/Economic Development Department administers the Community Development Block Grant Program (CDBG), Emergency Shelter Grants Program (ESG), and HOME Investment Partnerships (HOME) Program. The Community/Economic Development Department is responsible for the planning, preparation, and submission of the Consolidated Plan, the One-Year Action Plan for Federal Funds (together, the "Plan"), amendments to the Plan, and annual performance reports submitted to HUD, affecting the CDBG, ESG and HOME Programs, including the day-to-day operations of such programs. The Community/Economic Development Department is also responsible for the preparation and submission of applications for assistance under the Section 108 Loan Guarantee Program for the City.

Consistent with the duties and responsibilities of the Community/Economic Development Department, the City Administration determines the annual costs necessary to administer these programs, not to exceed 20% of the annual CDBG entitlement grant plus program income, 5% of the annual ESG entitlement grant, and 10% of the HOME Program. Also, the Administration determines the annual funding necessary to meet the required community development and housing needs and goals in accordance with the criteria established by HUD. The awarding and monitoring of the distribution of these funds must comply with the Plan.

AVAILABILITY OF CONSOLIDATED PLAN DOCUMENTS TO THE PUBLIC

In order to provide a reasonable opportunity to examine the contents of the proposed Consolidated Plan and to submit comments, the City will publish a summary of the proposed Consolidated Plan in a newspaper of general circulation as well as in a non-English speaking publication. Copies of the draft Plan will also be available at the Community/Economic Development Department office at City Hall, at the City Clerk's office, and at public libraries located in the City. A list of the locations of these documents will be included in the summary.

The City will hold at least two public hearings during the development of the Plan. The purpose of these hearings is to obtain citizen input and to respond to proposals and questions. One of the hearings will be held prior to the development of the draft plan and shall include discussion of the past years' performance. After the draft Plan is published, but prior to adoption of the Plan, a subsequent public hearing will be held. The guidelines for notice of these hearings and the accessibility of the place and times are set out above under the general requirements for public hearings.

The City will provide a reasonable number of free copies of the Consolidated Plan to groups and citizens upon request. The City will also make the Consolidated Plan available to the public through publication on the City's Web Site at: http://ci.miami-beach.fl.us

The City will use its best efforts to minimize the displacement of persons in connection with activities covered by the Plan, and to assist those persons displaced, even though the City expects no displacement to occur. In the event that any displacement of persons is expected to occur, the City will notify the public of the exact plans to minimize displacement and assist those persons displaced, specifying the types and levels of assistance made available by the City or by others as required by the City. Notification will be by publication in the non-legal section of the newspaper. A newspaper of general circulation, and, if deemed necessary, a non-English newspaper, will be used.

AVAILABILITY OF THE DRAFT CONSOLIDATED PLAN

During the development of the Consolidated Plan, and at least thirty (30) days prior to the adoption of the Consolidated Plan by the City of Miami Beach Mayor and City Commission, the draft Plan will be available for public review and a 30-day period for citizen comments will be provided. The City will consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final Consolidated Plan. A summary of the public's views and comments and a summary of any comments or views not accepted and the reasons therefor, will be attached to the final Plan. The draft Plan will be available at:

City of Miami Beach Community/Economic Development Department Third Floor City Hall 1700 Convention Center Drive Miami Beach, FL 33139

And on the City's web site: http://ci.miami-beach.fl.us

PUBLICATION OF ONE-YEAR ACTION PLAN FOR FEDERAL FUNDS FOR THIRTY DAY COMMENT PERIOD

Prior to adoption of the Consolidated Plan, the City of Miami Beach will make available to citizens, public agencies and other interested parties a draft copy of the Consolidated Plan that will include the amounts of assistance expected to be available including all grants and program income. The City will also include information on the range of activities and the income groups expected to be served.

This information will be available in draft form at City Hall in the City Clerk's office and public libraries located in the City for a period of at least 15 days prior to submission of the Consolidated Plan to the City Commission for approval. The draft Plan will be available at these locations during normal business hours. Persons needing special assistance in receiving these materials may contact the City Clerk's Office for the needed assistance.

The City will work with the Housing Authority to encourage the participation of residents of public and assisted housing in the development of the Consolidated Plan.

PROCEDURES FOR HANDLING COMPLAINTS RELATED TO THE CONSOLIDATED PLAN

Any citizen may file a written comment or complaint concerning the Consolidated Plan, Plan Amendments, and the annual performance report with the City's Community/Economic Development Department. The Community/Economic Development Department will respond, in writing, to all written citizen complaints within 15 working days, where practicable.

CRITERIA FOR AMENDMENT TO THE CONSOLIDATED PLAN

The City will amend the Consolidated Plan whenever one of the following decisions is made:

- (1) To make a change in allocation priorities or a change in the method of distributing funds;
- (2) To carry out an activity, using funds from any program covered by the Plan (including program income), not previously described in the One Year Action Plan; or
- (3) To change the purpose, scope, location or beneficiaries of an activity.

Only certain amendments to the Plan are considered "Substantial Amendments", which are subject to the citizen participation process. The following criteria are used by the City to determine if a change to the City's planned or actual activities constitutes a Substantial Amendment to the Consolidated Plan:

- (1) A change in the use of funding from one eligible use to another;
- (2) If the service area, budget or beneficiaries is changed so that 50% or more of the intended beneficiaries are no longer able to benefit from the Project. This does not include a budgetary change in a direct benefit or other project where a service or other benefit is available so long as funds are available;

- (3) If the location of the project is changed so that 50% or more of the intended beneficiaries are no longer able to benefit from the project; or
- (4) If the project's location or eligible recipients are changed so that 50% or more of the intended beneficiaries are no longer able to benefit from the project.

THIRTY-DAY COMMENT PERIOD AND PUBLIC HEARING FOR SUBSTANTIAL AMENDMENTS TO THE CONSOLIDATED PLAN

If the City determines that a proposed amendment will constitute a Substantial Amendment to the Plan, citizens will be provided with reasonable notice and an opportunity to comment on the proposed Substantial Amendment prior to implementing the Substantial Amendment. A 30-day public comment period will be announced by publication in the non-legal section of the newspaper. A newspaper of general circulation, and, if deemed necessary, a non-English newspaper, will be used.

Comments should be addressed in writing to the Community/Economic Development Department. The City will consider any comments or views received in writing or orally during any public hearings in preparing the Substantial Amendment. A summary of the views and comments, and a summary of any comments or views not accepted, and the reasons therefor, will be attached to the Substantial Amendment to the Plan. Upon adoption of any amendment to the Plan, the City will make the amendment public by filing it with the City Clerk's office.

PERFORMANCE REPORTS

The City will provide citizens with reasonable notice and an opportunity to comment on performance reports submitted to HUD. Notice of the availability of performance reports for review will be placed in the non-legal section of the newspaper. A newspaper of general circulation, and if deemed necessary, a non-English newspaper, will be used. There will be a 15-day comment period during which citizens may comment on the performance report prior to its submission to HUD. The City will consider any comments or views received in writing or orally during any public hearings in preparing the performance report. A summary of the views and comments, and a summary of any comments or views not accepted, and the reasons therefor, will be attached to the performance report.

THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC)

PURPOSE AND FUNCTION OF THE COMMITTEE

The Community Development Advisory Committee ("CDAC" or the "Committee") shall serve as an advisory body to the Community/Economic Development Department staff and City Commission on housing and community development issues, representing all residents of Miami Beach especially those directly affected by the Consolidated Plan. The role of the CDAC is to provide input regarding all phases of the housing and community development programs, and to effectuate and encourage citizen participation from all individuals, especially low and moderate income persons and residents of Community Development target areas.

The advisory services of the CDAC include, but are not limited to, the formation of the Plan; however, the Committee or its officers will have no powers to make administrative decisions nor direct staff actions. The Committee shall facilitate community involvement regarding housing and non-housing community development activities and shall serve as a forum to hear citizen concerns, priorities, views and proposals.

The Community/Economic Development Department Director or his/her designee shall provide technical assistance to the Committee and shall be the liaison between the Committee and the City Administration.

GENERAL REQUIREMENTS FOR MEMBERSHIP ON CDAC

Composition

The composition of the CDAC shall comply with ordinance 2000-3245, Agencies, Boards and Committees, as the same may be amended from time to time. The Committee shall be composed of fourteen appointed members. All of the appointees are direct appointments of the Mayor and the City Commissioners and must either be a resident of, or demonstrate ownership/ interest in a business established in, a locally designated Community Development target area for a minimum of two (2) years (see attached maps).

The fourteen appointed members shall be appointed to represent city-wide concerns, and should be selected on the basis of their ability to provide expertise in areas of relevance to the community development program (e.g. planning, law, real estate, social work, housing, homelessness, etc.). However, no CDAC member may submit an application for any CDBG, ESG, HOME, or Section 108 Loan Guarantee funded assistance on any property or business in which they own or retain an interest. In making their appointments, the Commission should also take into consideration the need for representation of low and moderate-income persons, minority citizens, and residents of slum and blighted areas.

No City of Miami Beach employee or an appointed or elected official directly involved with the utilization or approval of community development funds and/or expenditures is eligible for membership on the CDAC. Members shall not be in conflict of interest as outlined below.

Moreover, neither CDAC members nor firms who employ CDAC members may provide consulting or other services to sub-recipients.

Conflict Of Interest

CDAC members must comply with all federal regulations, specifically those listed under 24 CFR 570.611 for the CDBG Program, 24 CFR 92.356 for the HOME Program, 24 CFR 576.57(d) for ESG Program, Florida Statutes 112.3143 (1989), and City of Miami Beach Ordinance 2000-3245, governing Agencies, Boards and Committees, which addresses conflicts of interest, as same may be amended from time to time, and any other laws, regulations or ordinances affecting conflicts of interest. See the attached conflict of interest regulations and ordinances. All City of Miami Beach and/or HUD legal opinions concerning CDAC conflicts of interest will be followed.

Vacancies

Consistent with the Section entitled "Composition", above and ordinance 2000-3245, vacancies, which may occur on the Committee, shall be filled by a City Commission appointment. The City Manager will give advance notice to the City Commission, by notification in the agenda, of any vacancies on the CDAC.

Term Of Appointment

The term of appointment shall be for two years, from January 1st through December 31st. Committee members may succeed themselves. Appointments for the two-year term will be made by the City Commission in January, with vacancies filled as soon as possible in order to maintain continuity. Direct appointees may serve for no more than eight (8) consecutive years.

MEETINGS

Compliance with Sunshine Amendment Requirements

All meetings of any board or commission of a municipal corporation at which official acts are to be taken are declared public meetings and open to the public at all times, and no rule, resolution or formal action shall be considered binding except as may be taken at such meeting. All CDAC meetings will comply with the requirements of Florida's "Sunshine Amendment" and will be held in the open. Please see the attached Summary of the Sunshine Amendment requirements.

Meeting Notices and Scheduling

The Community/Economic Development Department Director, with input from the CDAC Chairperson, will set the time and place of meetings. Regular and special purpose meetings may be held at the City of Miami Beach City Hall, located at 1700 Convention Center Drive, which is a facility located in a designated community development (low/moderate income) target area, and is accessible to the handicapped. Members of the community are encouraged to attend the CDAC meetings. Regular meeting notices shall be provided in advance of said meeting. In the case of a

special meeting, a notice will be made as early as possible in advance of such meeting, by personal communication. The Community/Economic Development Department will make every effort to provide appropriate assistance with the mailing of meeting summaries, agendas and notices.

Regular Meetings

The CDAC will hold public meetings to discuss and provide recommendations on the proposed use of funds and to give citizens the opportunity to (i) express needs and comments and (ii) submit proposals for consideration. Committee meetings will be held monthly, or as needed, and will be coordinated with the schedule for the preparation of funding recommendations for the CDBG and ESG component of the Plan. A tentative schedule of the community development process for the City of Miami Beach will be made available by the Administration at the earliest possible meeting of each calendar year.

Special Meetings

In order to ensure representation from individuals residing in affected community development target areas, the Administration, in conjunction with CDAC, may hold neighborhood meetings/hearings to obtain input directly from those affected; however, CDAC attendance is not mandatory at these special meetings.

Annual CDBG, ESG and HOME Planning Phase Meetings

The City Administration will determine the annual costs necessary to administer the CDBG, ESG and HOME Program, subject to the caps described above. Also the Administration will determine the annual funding necessary to meet the required housing and community development needs and goals in accordance with the criteria established by HUD. These funds must comply with the Plan.

The CDAC will support no less than the minimum funding necessary to achieve these goals. The CDAC will then be asked to review the written Request for Proposals from all organizations, in order to recommend funding levels for eligible CDBG and ESG activities. Annual funding decisions are determined each year and are promulgated in a One-Year Action Plan, in accordance with the Consolidated Plan. The citizens will be advised of:

- ♦ The annual CDBG, ESG and HOME grant amounts anticipated;
- The proposed amount of Section 108 Loan Guarantee Program Assistance;
- Estimated program income;
- The proposed low/moderate income benefits once a Plan or Section 108 Loan Guarantee Program application has been developed; and
- Proposed CDBG/Section 108 activities likely to result in displacement (if any) and the types and levels of assistance the grantee will make available to displaced persons, if any.

Further, citizens will be apprised of any items as specified in the National Affordable Housing Act of 1990, Public Law 101-625, the Housing and Community Development Act of 1974 as amended, and applicable regulations for the above.

During the final stages of the annual planning process for the allocation of federal funds, the CDAC will invite the City Manager to attend the final meeting, so that the City Manager may be apprised of the CDAC's reasons for their proposed recommendations.

Following the annual final public hearing on the One-Year Action Plan for Federal Funds, and before the Commission adopts the federal funding recommendations, the CDAC will request of the Mayor and City Commission that the Commission allow the CDAC Chairperson, or their designee, the opportunity to present the majority position of the CDAC before the City Commission.

ADDITIONAL REQUIREMENTS

The City of Miami Beach Ordinance No.2000-3245, which is attached to this Citizen Participation Plan, and the handbook provided to CDAC members, set out additional requirements governing the operation of the CDAC, including: provisions on positions within the CDAC, minimal requirements for a quorum and voting, and absences and removal, among others. The Handbook is available, upon request, at the Community/Economic Development Department.

CPP 2000.DOC